

**EXHIBIT 11**

COPY

1

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF MARYLAND

3 XEROX CORPORATION :  
4 Plaintiff :  
5 Vs. : CIVIL ACTION NO.  
6 PHOENIX COLOR CORPORATION : L 02CV 1734  
7 and :  
8 TECHNIGRAPHIX, INCORPORATED :  
9 Defendants :

10  
11  
12 Deposition of PATRICIA ELIZONDO, taken  
13 on Tuesday, March 4, 2003, at 9:30 a.m., at the  
14 law offices of Piper Rudnick, LLP, 6225 Smith  
15 Avenue, Baltimore, Maryland, before Bonnie L.  
16 Russo, Notary Public.

17 -----

18  
19  
20 Reported by:  
21 Bonnie L. Russo

CRC-SALOMON  
Baltimore, Maryland  
Phone (410) 821-4888 Fax (410) 821-4889

1 is the best of your recollection?

2 A. Yes.

3 Q. At this meeting who did Mr. Tiner  
4 introduce you to?

5 A. His name escapes me.

6 Q. Possibly his name Donnie Tyler?

7 A. Donald Tyler.

8 Q. Anyone else that Mr. Tiner introduced  
9 you to?

10 A. No.

11 Q. And who else was at this meeting other  
12 than Mr. Tiner and Mr. Tyler?

13 A. And then there would have been either Ed  
14 Buckson or Bruce.

15 Q. What is your best recollection of how  
16 Mr. Tiner introduced Mr. Tyler to you?

17 A. As our decision maker.

18 Q. Okay.

19 A. The one who would be making all  
20 operational decisions.

21 Q. These were words that Mr. Tiner said; is

1 that right?

2 A. Yes.

3 Q. Were they said in Mr. Tyler's presence?

4 A. Yes.

5 Q. And they were said at the Technigraphix  
6 plant in Sterling, Virginia?

7 A. Yes.

8 Q. Anything else that he used to describe  
9 Mr. Tyler's position at Technigraphix?

10 A. Not that I recall.

11 Q. Do you recall Mr. Tyler saying anything  
12 at all?

13 A. Yes. Just confirming that he was the  
14 guy that we should work with and the decision  
15 maker and the person who would be making the  
16 operational decisions of the floor  
17 configurations, et cetera.

18 Q. At the time Technigraphix was leasing  
19 Docutech equipment from Xerox?

20 A. Yes.

21 Q. Was there any discussion as to whether

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

A. No. I know he didn't say that.

Q. Did anyone tell you that he was the new chief operations officer?

A. I don't know the term chief operations but I remember operations.

Q. Okay. Mr. Tiner tell you whether he was going to remain involved with Technigraphix in terms of sales?

A. I don't understand when you say relative to sales.

Q. As I understand your testimony, you are saying that he told you that he was turning over the operations portion of Technigraphix to Mr. Tyler; is that accurate?

A. No. That he had sold the business to Phoenix and that the operation would be run by Mr. Tyler.

Q. And my question was whether Mr. Tiner within that description, whether Mr. Tiner would remain involved with selling products on behalf

1 of Technigraphix?

2 A. No, I don't remember him saying that.

3 Q. Anyone tell you that they were going to  
4 change the name of Technigraphix to Phoenix  
5 Color?

6 A. No, I don't remember that being said.

7 Q. Mr. Tyler at any time, did he say or do  
8 anything that would make you think that he was an  
9 employee of Phoenix Color?

10 A. As I recall, he gave me a business card  
11 that had his name on a business card that I  
12 believe had Phoenix Color on it.

13 Q. To the best of your recollection, could  
14 you tell me when he gave you this business card?

15 A. In the introductory meeting.

16 Q. Do you recall whether he gave this  
17 business card to anyone else?

18 A. No, I don't recall. It would have been  
19 customary that we would have all exchanged  
20 business cards.

21 Q. Did you ever have any other